

1653  
Image

PTO/SB/21 (01-03)  
Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/853,731
	Filing Date	May 11, 2002
	First Named Inventor	A. Papadimitriou
	Art Unit	1653
	Examiner Name	Kam, Chih Min
Total Number of Pages in This Submission	Attorney Docket Number	20619

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Statement Under 37 CFR Section 1.97(e), PTO Form 1449 with Reference (1), Examination Report and Post Card.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual	Patricia S. Rocha-Tramaloni	
Signature		
Date	November 26, 2003	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on this date <u>November 26, 2003</u>		
Typed or printed	Patricia S. Rocha-Tramaloni	
Signature		Date November 26, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventors: Apollon Papadimitriou

Group: 1653

Serial No. 09/853,731, filed May 11, 2002

Examiner: Kam, Chih Min

For: **ERYTHROPOIETIN COMPOSITION**

**STATEMENT UNDER 37 CFR §1.97(e)**

Nutley, New Jersey 07110

Date: November 26, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify:

X That newly cited document A2 contained in the enclosed information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this information disclosure statement.

    That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Respectfully submitted,

Attorney for Applicant(s)  
Patricia S. Rocha-Tramaloni  
(Reg. No. 31054)  
340 Kingsland Street  
Nutley, NJ 07110  
Telephone: (973) 235-2441  
Telefax: (973) 235-2363



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor(s): Apollon Papadimitriou, et al.

Group: 1653

Serial No. 09/853,731, filed May 11, 2002

Examiner: Kam, Chih Min

For: **ERYTHROPOIETIN COMPOSITION**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Nutley, New Jersey 07110

Date: November 26, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

Document A2 listed on Form PTO-1449 is enclosed.

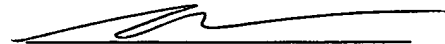
Enclosed is an Examination Report, dated September 19, 2003, which was issued by the European Patent Office in the corresponding application. The Search Report lists Documents A1, A2 and B1-B4. Documents A1 and B1-B4 are not enclosed since they have previously been submitted in Applicant's Information Disclosure Statement mailed January 14, 2003.

Consideration of all the documents cited on Form PTO-1449 is requested.

Serial No. 09/853,731  
Filed: May 11, 2002

Since the Information Disclosure Statement is submitted after the first Office Action on the merits and after three months of the filing date for the captioned application, there is enclosed a Certificate under 37 C.F.R. § 1.97(e)].

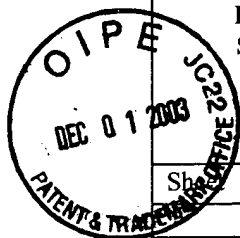
Respectfully submitted,



Attorney for Applicant(s)  
Patricia S. Rocha-Tramaloni  
(Reg. No. 31054)  
340 Kingsland Street  
Nutley, New Jersey 07110  
Telephone: (973) 235-2441  
Telefax: (973) 235-2363

136694

Substitute for form 1449A/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)		Application Number	09/853,731
		Filing Date	May 11, 2001
		First Name Inventor	Apollon Papadimitriou
		Group Art Unit	1653
		Examiner Name	Kam, Chih Min
		Attorney Docket Number	20619
Sheet	1	of	1



U.S. PATENT DOCUMENTS					
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	A2	5,661,125		Thomas Wayne	08-26-1997

FOREIGN PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
Examiner Signature		Date Considered				

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
<sup>2</sup>Unique citation designation number. <sup>3</sup>See attached Kinds of U.S. Patent Documents. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup>Applicant is to place a check mark here if English language Translation or abstract is attached.